



IFW Recd 28/11

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Application No. 10/010,525
Filing Date December 6, 2001
First Named Inventor Robert S. Chau
Art Unit 2811
Examiner Name Vu, Quang D.
Attorney Docket No. 42390.P4222D3

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** – Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.)

ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. Other _____

b. Enclosed

i. Preliminary Amendment/Reply

ii. Affidavit(s)/Declaration(s)

iii. Information Disclosure Statement (IDS)

iv. Other _____

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)

b. Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____

i. RCE fee required under 37 C.F.R. § 1.17(e)

ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action

iv. Other _____

b. Checks in the amounts of \$ 770.00 and \$ 420.00 are enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Heather M. Molleur Registration No. (Attorney/Agent) 50,432
Signature H. Molleur Date 9/7/04

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Claire Wallters Date 9/7/2004
Signature Claire Wallters

Express Mail No. (only if applicable): _____

Application No. 10/010,525
Preliminary Amendment filed September 7, 2004
Reply to Office Action of April 7, 2004



Attorney's Docket No.: 42390.P4222D3

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
)
 Robert S. Chau) Conf. No.: 1842
)
Application No: 10/010,525) Examiner: Vu, Quang D.
)
Filed: December 6, 2001) Art Unit: 2811
)
For: DEVICE STRUCTURE AND)
 METHOD FOR REDUCING)
SILICIDE ENCROACHMENT)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

In response to the Final Office Action mailed April 7, 2004 and the Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 filed concurrently herewith, Applicant respectfully requests the Examiner to enter this preliminary amendment and consider the remarks prior to examination of the above referenced case

FIRST CLASS CERTIFICATE OF MAILING

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on September 7, 2004 _____ Date of Deposit

Claire Walters
Name of Person Mailing Correspondence

Claire Walters
Signature

9/7/2004
Date

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